

### **Remarks**

This amendment is responsive to the Notice of Non-Compliant Amendment of September 26, 2008. The Office Action was issued following a decision of the Board of Patent Appeals and Interference that affirmed in part and reversed in part the prior final Office Action.

The Examiner cancelled all claims except 4, 6, 8, 15 and 17 in accordance with MPEP §1214.06 and directed the Applicant to present the remaining claims in independent form.

Applicant has amended the abovementioned claims to present them in independent form. It is believed that the claims as amended are in allowable form and allowance is requested.

In the event the Examiner has further difficulties with the allowance of the application, he is invited to contact the undersigned attorney by telephone at (412)380-0725 to resolve any remaining questions or issues by interview and/or by Examiner's amendment as to any matter that will expedite the completion of the prosecution of the application.

Respectfully submitted,

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